

U.S. HOUSE OF REPRESENTATIVES

June 16, 2004

Please Support the "Public Health Security and Bioterrorism Preparedness and Response Act of 2004"

Protect American Jobs and the American Food Supply

DEADLINE: 5 PM, June 23, 2004

Dear Colleague:

The Public Health Security and Bioterrorism Preparedness and Response Act of 2004 (the Act) imposes new requirements intended to protect U.S. consumers from adulterated food products. Unfortunately, the U.S. Food and Drug Administration, in attempting to comply with the Act, has overstepped its authority in a manner that could lead to the unintended consequences of raising consumer prices, increasing job losses, and threatening legitimate U.S. businesses. We invite you to join us in introducing legislation that would prevent the loss of these important jobs.


A proposed FDA regulation is scheduled for full enforcement on August 13, 2004, and would require that confidential manufacturing facility registration numbers appear on all prior notices submitted to the FDA as a condition of food import. This requirement would be impossible to meet for lawful third-party importers who do not deal directly with the manufacturers and thus have no means of obtaining the confidential numbers. The adversely-affected importers include food wholesalers distributing in the secondary marketplace or reimporting American-manufactured products, and manufacturers bringing competitors' articles into this country for sampling or testing.

The requirement also would create domestic job losses and raise consumer prices. For example, it is estimated that thousands of jobs within the secondary market industry alone could be at stake. In addition, numerous freight forwarders, truckers, and warehousemen who work in conjunction with the industry likely would face similarly substantial economic hardship. Moreover, the secondary market results in cost savings to consumers ranging between ten and fifteen percent. That is a major benefit to the American economy that cannot be discounted.

That is why we are introducing the Importation of Safe Food Act of 2004. This bill would clarify that (1) the notice must contain the name and address of the manufacturer and that the importer must identify those parties required to be shown by whatever means available to it; and (2) food articles may not be automatically rejected solely on the basis of an incomplete notice unless the Secretary is presented with additional evidence that the article poses a threat to the health of an animal or human. It also would give the government more authority in regulating food facilities so that tainted foods cannot enter the nation's food supply.

If you would like to cosponsor (the deadline is 5 PM, June 23, 2004), or for additional information, please contact Sampak Garg with Rep. Conyers (x5-1609) or Chris Schons with Rep. Harris (x5-5015).

Sincerely,


John Conyers
Member of Congress


Katherine Harris
Member of Congress